



3. As such, the Parties move to dismiss this action with prejudice, with each Party to bear its own attorneys' fees and costs.

4. Plaintiff and Defendants agree to this dismissal with prejudice.

5. This case is not a class action under Federal Rule of Civil Procedure 23, a derivative action under Rule 23.1, or an action related to an unincorporated association under Rule 23.2.

6. A receiver has not been appointed in this case.

7. This case is not governed by any federal statute that requires a court order for dismissal of the Parties' claims with prejudice.

Respectfully submitted,

By: /s/ R. Lyn Stevens

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- and -

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 14th day of October 2014, I electronically filed the foregoing document with the Clerk of the Court for the U.S. District Court, Western District of Texas, using the electronic case filing system for the Court. The electronic case filing system sent a "Notice of Electronic Filing" to the following attorneys who have consented in writing to accept this notice as service of this document by electronic means:

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